

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Civil Action No.: 7:15-cv-187-H

THOMAS CANNON, JESSE CONNER,
DONALD KOONS, and NICHOLAS
TERRELL

Plaintiffs,

vs.

VILLAGE OF BALD HEAD ISLAND,
NORTH CAROLINA; CALVIN PECK,
in his individual capacity; and
CAROLINE MITCHELL, in her
individual capacity.

Defendants

PLAINTIFFS' MOTION FOR
ATTORNEY'S FEES AND
NONTAXABLE COSTS

Now Comes the Plaintiffs, by and through counsel, and moves the Court
pursuant to the Court's Findings of Fact and Conclusions of Law; Rule 54(d) of the
Federal Rules of Civil Procedure; and 42 U.S.C. § 1988; for an award of attorney's fees
and costs not taxable. In support of this motion, Plaintiffs show the Court the
following:

1. Following a bench trial of the above captioned case, the Hon. Malcolm J. Howard, Senior United States District Judge entered Findings of Fact and Conclusions of Law (DE 154) and directed that a Judgment be filed (DE 155) in favor of Plaintiffs against Defendants Calvin Peck and Caroline Mitchell on November 30, 2020.

2. Attorney's fees and nontaxable costs are allowed in this matter regarding the due process liberty interest claims pursuant to 42 U.S.C. § 1988.
3. The billing rates for the attorneys and legal assistants involved in this case are as follows:
 - a. Attorney Bradley Coxe-\$300/hr.
 - b. Attorney Samuel Potter-\$300/hr.
 - c. Attorney Hunt Harris-\$225/hr.
 - d. Attorney Robert Solano-\$225/hr.
 - e. Attorney Colleen Moran-\$200/hr.
 - f. Attorney Ana-Cris Jimenez-\$225/hr.
 - g. Paralegal Xylia Sparks-Davis-\$85/hr.
 - h. Legal Assistant Christopher Rickert-\$65/hr.
 - i. Paralegal Patricia Kodetsky-\$65/hr.
4. Attorneys Coxe and Potter were the lead counsel on this matter and involved with all aspects of the case since they were retained in August 2014.
5. Attorneys Hunt Harris, Robert Solano, Ana-Cris Jimenez and Colleen Moran worked under the direction and supervision of Attorneys Coxe and Potter.
6. Paralegal Xylia Sparks-Davis was the lead legal assistant on this matter and worked under the direction and supervision of Attorneys Coxe and Potter.

7. Paralegal Patricia Kodetsky and Legal Assistant Christopher Rickert worked under the direction and supervision of Attorneys Coxe and Potter.
8. The total number of hours expended in this case through December 3, 2020, is 1736.5, worth \$459,049.50 in attorney's fees.
9. The total amount of related nontaxable costs for this case is \$13,566.49
10. Adding the fees and expenses, the total amount sought in this Motion at this time is \$472,615.99.

This the day of December, 2020

/s/ Bradley A. Coxe
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